



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Bureau of Competition
Health Care Division

February 24, 2023

The Honorable Denise Cote
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1910
New York, NY 10007

Re: *FTC, et al. v. Vvera Pharmaceuticals, LLC, et al.*, 1:20-cv-00706 (DLC)

Dear Judge Cote:

The Federal Trade Commission respectfully requests permission to file under seal Plaintiffs' Reply Memorandum of Law in Support of Motion for an Order to Show Cause Why Defendant Shkreli Should Not Be Found in Civil Contempt for Violating the Court's February 4, 2022 Order and certain supporting exhibits.

Pursuant to the Court's September 17 and 18, 2020 orders (ECF 261 & 266), the FTC asked Brianne Murphy as Martin Shkreli's counsel whether we should seek to file any of our exhibits produced by Mr. Shkreli under seal and, if so, to provide proposed findings to justify any sealing. Ms. Murphy's reply on behalf of Mr. Shkreli follows:

Exhibit D-2: "[P]lease redact any information related to the company and/or Mr. Shkreli's personal financial information or contact information not already in the public sphere."

Exhibit D-3: "[P]lease redact Shkreli's salary information and address, as well as any other personal information not already in the public sphere."

Exhibit D-4: "Please file under seal in its entirety . . . as it is a confidential company document with information that would not be typically disclosed to the public. The company is not the subject of this motion and its information is entitled to confidential treatment. If you must redact it, rather than file it under seal, please redact any identifying, financial, or company specific with only boilerplate language remaining unredacted."

Exhibit D-5: "Please file under seal in its entirety . . . as it is a confidential company document with financial information that would not be typically disclosed to the public. The company is not the subject of this motion and its information is entitled to confidential treatment. If you must redact it, please redact any identifying, financial, or company specific with only boilerplate language remaining unredacted."

For the same reasons, Plaintiffs also filed under seal any nonpublic information from these exhibits in our reply brief.

In accordance with Rule 7.B of Your Honor's Individual Practices in Civil Cases and with the requirements for electronically filing under seal, the FTC will publicly file our reply brief and supporting exhibits with the proposed redactions and slip sheets noting that Exhibits D-4 and D-5 are filed entirely under seal. On a separate docket entry, the FTC will file under seal the reply brief and all exhibits with proposed redactions highlighted.

Sincerely,

/s/ Markus H. Meier
Markus H. Meier
Assistant Director

The requests regarding the exhibits are granted. The memorandum shall be publicly filed in its entirety unless the court demands otherwise by 3/2/23 why it should be redacted.

James C. [Signature]
2/28/23